

EXHIBIT 9

From: [Max Bernstein](#)
To: [Matt Rienstra](#); [Dwain K. Rogers](#); [Jonathan@mitchell.law](#)
Cc: [Ellen Leonida](#); [Maria Calaf](#); [Katherine Chiarello](#); [Ryan Botkin](#); [Kayna Levy](#); [Shannon Morrissey](#)
Subject: Little, et al. v. Llano County, et al, 1:22-cv-00424-RP
Date: Wednesday, October 19, 2022 4:59:22 PM

Counsel,

We write regarding the deficiencies in your October 14, 2022 production of documents and discovery responses.

First, your production did not comply with the ESI stipulation you signed only one week earlier, and which you acknowledged governed your October 14 production and all future productions. In particular, the documents you produced contained no metadata and no load files, were not produced in native format, and were neither OCR'ed nor included extracted text. Further, by converting emails to PDFs prior to producing them, you reformatted, scrubbed, and altered the ESI in a way that downgraded the usability of the data, also in violation of the ESI stipulation. Without the metadata and searchable text, it is nearly impossible for Plaintiffs to meaningfully review the more than 4,000 documents you produced. Accordingly, Plaintiffs demand that you reproduce these documents in accordance with the parties' ESI stipulation and you do so by October 24.

Second, in response to RFP Nos. 21, 22, and 25, you noted that "documents will be provided once a server migration is complete." This response is deficient and means nothing without more context. To what server are you referring? To where is it being migrated? When is it being migrated? Why is it being migrated? When is the migration going to be complete? Plaintiffs demand that you answer these questions or supplement your responses to RFP Nos. 21, 22, and 25, also by October 24.

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